

## MADRAS RECORD OFFICE.

Government of Madras.

*Judicial* DEPARTMENT.

|          |       |                 |
|----------|-------|-----------------|
| G.O. No. | 1111  | Press           |
|          |       | <del>Mis.</del> |
| Dated    | 9 - 8 | 19-1885         |

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Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,  
9th August 1865.*

No. 78. Read the following letter from W. ROBINSON, Esq., Inspector General of Police, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated Kotagerry, 22nd July 1865, No. 1455.

With reference to recent discussion on the subject of the powers of Sub-Magistrates, I have the honor to request the instruction of Government as to the precise position of *Sheristadars* who have powers of Sub-Magistrates.

2. Instances occur in which these hold investigations, and even dispose of cases under Penal Laws; the real Taluq Magistrate taking little part in the matter. The intention of Government in conferring certain powers of a provisional character on these subordinate Ministerial Officers, was to avoid delays in obtaining processes, and to enable the Police to fulfil the law by placing persons arrested without Warrant before a Magistrate within 24 hours, in the absence on circuit of the properly constituted Sub-Magistrate of the Taluq. But in many instances, the Taluq Sub-Magistrates when they are present at the station delegate to such subordinates the inquiry into cases which they should themselves dispose of, and even let them dispose of them; and the Police are obliged to prosecute before these officials, who, as the Government are aware, have generally not the same intelligence or acquaintance with the law that is possessed by the class of Tahsildars.

3. Tahsildars are too inclined to seek to relieve themselves of their Magisterial duties, and to relapse into the old system of referring all to a sort of "Sub-officer of Police" as under the old law. It seems doubtful whether this is in consonance with either the letter or spirit of the law as it now is, and the matter seems to me to require some authoritative decision. I have received several references from the Police Officers on the point.

No. 79. ORDER THEREON, 9th August 1865, No. 1111.

The Inspector General of Police has, it is observed, been furnished with a copy of the Proceedings of Government in the Revenue Department, dated 16th October 1860, No. 1886. He will now, with reference to his letter recorded above, be furnished with copies of the Proceedings in this Department noted in the margin.

No. 316, dated 25th February 1862.  
" 456 " 18th March "  
" 1645 " 14th October 1863.

2. Magistrates of Districts will be careful, in appointing persons to the Office of Taluq Sheristadar, to make the application to the Government, which they are required to submit by paragraph 1 of the Order of the 12th ultimo, No. 970, in respect of officers who have to exercise Magisterial authority.

3. Referring to paragraph 3 of Mr. Robinson's letter, the Governor in Council desires that the District Magistrates should ascertain from time to time that the Taluq Magistrates do not impose upon their Taluq Sheristadars, without sufficient reason, an undue share of such Magisterial work as would be better performed by an officer of the higher grade.

(True Extract).

*Chief Secretary.*

To the Inspector General of Police, with Proceedings, Nos. 316, 456, and 1645.

„ Magistrate of

Exd. J. H. Burns.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read letter from the Inspector  
General of Police — Inter 22 July '65 N<sup>o</sup> 1455.

Order — 9 August 1885 N<sup>o</sup> 1111.

The Inspector Genl. of Police has, it is observed, been furnished with a copy of the Pros: of Govt. in the Revd. Dept., dated 16 Oct. '60 N<sup>o</sup> 1886. He will now, with reference to his letter recorded above, be furnished with copies of the Pros: in this Dept., noted in the margin.

N<sup>o</sup> 316 dated 25 Feb. '62.  
" 456 — 18 Mar. "  
" 1645 — 14 Oct. '63.

2. Magistrates of Districts will be careful, in appointing persons to the office of Taluk Sheristadar, to make the application to the Govt., which they are required to submit by para 1 of the Order of the 12<sup>th</sup> Ult. N<sup>o</sup> 940, in respect of officers who have to exercise magisterial authority.

The Inspector Genl. of Police  
Magistrate of

over

Para 3

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No. III

# PROCEEDINGS OF GOVERNMENT.

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